

No. 23-15416

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

In re: APPLE INC. DEVICE PERFORMANCE LITIGATION,

NAMED PLAINTIFFS AND
SETTLEMENT CLASS MEMBERS

Plaintiffs-Appellees,

v.

SARAH FELDMAN; HONDO JAN,
Objectors-Appellants, and

DEBORAH PANTONI,
Objector-Appellant

v.

APPLE INC.,
Defendant-Appellee.

On Appeal from the Northern District of California
Civil Action No. 5:18-md-02827
Hon. Edward J. Davila

**STIPULATION RE: DISMISSAL
PURSUANT TO FRAP RULE 42(b)**

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Pursuant to Rule 42(b) of the Federal Rules of Appellate Procedure, Appellants and Appellees in the above-captioned matter agree to the dismissal of the appeal therein with each party to bear its/their own fees and costs.

Appellants and Appellees further request the appeal in the captioned matter, docketed as Case No. 23-15416, be dismissed by the Circuit Clerk consistent with Rule 42(b).

It is so stipulated and agreed:

Appellees/Plaintiffs, by:

CLASS COUNSEL, by:
KAPLAN FOX & KILSHEIMER LLP
COTCHETT, PITRE & McCARTHY LLP

Date: May 26, 2023

/s/ Laurence King
Name: Laurence King

Appellee/Defendant Apple Inc., by:

GIBSON, DUNN & CRUTCHER LLP,
Attorneys for Apple Inc., by:

Date: May 26, 2023

/s/ Christopher Chorba
Name: Christopher Chorba

Appellants Feldman & Jan, by:

Kendrick Jan, APC,
Attorney for Appellants, by:

Date: May 26, 2023

/s/ Kendrick Jan
Kendrick Jan

Law Offices of John J. Pentz,
Attorney for Appellants, by:

Date: May 26, 2023

/s/ John J. Pentz
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